



State of Oklahoma
PARDON AND PAROLE BOARD

PARDON AND PAROLE BOARD
Business Meeting Minutes

Monday, March 9, 2020
9:00 a.m.

MEMBERS PRESENT: Robert Gilliland, Allen McCall, Larry Morris, Kelly Doyle, and Adam Luck

MEMBERS ABSENT: None

STAFF: Steven Bickley, Melinda Romero, and Kyle Counts

GUESTS: None

I. Call to Order – Chairman Robert Gilliland

The Business Meeting of the Pardon and Parole Board (PPB) was called to order at 9:06 a.m. by Chairman Robert Gilliland on Monday, March 9, 2020, at the Kate Barnard Correctional Center (KBCC) in Oklahoma City.

A. Roll Call

The members attending were Robert Gilliland, Allen McCall, Larry Morris, Kelly Doyle, and Adam Luck. The voting order was announced as Allen McCall, Kelly Doyle, Larry Morris, Robert Gilliland, and Adam Luck.

B. Pledge of Allegiance

Chairman Gilliland led the Pledge of Allegiance.

C. Assurance of Compliance with Open Meeting Act

General Counsel Kyle Counts provided assurance of compliance with the Open Meeting Act. The business meeting of the Pardon and Parole Board was convened in accordance with the Oklahoma Open Meeting Act. This meeting was preceded by advance notice of the date, time, and place filed with the Oklahoma Secretary of State on November 13, 2019. Notice of this meeting was also given at least twenty-four (24) hours in advance of the meeting by posting notice of the date, time, place, and agenda of the meeting at 1:42 p.m. on March 5, 2020, at the principal office of the Pardon and Parole Board, located at 2915 N. Classen, Oklahoma City, OK, 73106. The meeting is in compliance with the Open Meeting Act.

II. Business Meeting

A. Discussion and Possible Action on February Business Meeting Minutes

The February business meeting minutes were provided to the Board for review. Allen McCall made a motion to approve the February Business meeting minutes, Robert Gilliland seconded. The board approved the motion 5-0.

B. Discussion and Possible Action on February Parole Meeting Minutes

The February parole meeting minutes were provided to the Board for review. Allen McCall made a motion to approve the February Parole meeting minutes, Larry Morris seconded. The board approved the motion 5-0.

C. Discussion and Possible Action on Agency Updates

1. Personnel Updates – New Hires and Separations

Deputy Director Romero shared that there have been no new hires or separations from the agency since last month's meeting.

2. Administrative Staff Activities

Deputy Director Romero shared that there are no new administrative actives to report since last's months meeting.

3. Director's Update – Executive Director, Steven Bickley

Director Bickley asked General Counsel Kyle Counts to provide the Board an update on legal activities noting that staff would add a regular legal update line item to the monthly agenda going forward.

- Counts updated the Board on the status of revocations noting that PPB was now caught up and also provided updates on two pieces of ongoing litigation - one concerning pardons for deferred sentences, the other concerning commutations for suspended sentences. Counts noted that the order for accepting commutation applications on suspended sentences was currently in effect due to a default judgment obtained while PPB was without an attorney. Upon learning of this, Counts filed a timely motion to vacate that judgment.

Director Bickley then provided the Board with updates on the following topics:

- Coronavirus: the agency has begun discussions and planning in case coronavirus disrupts PPB operations. Director Bickley noted that the purchase of laptops and conversion to Microsoft Office 365 had greatly mitigated the operational risk for the agency yet access to files, facilities, and phones could be at risk. He concluded that it would impact the agency but that it wouldn't grid us to a halt.
- Updates on activities from last month: The summary memo to the Governor's office was very well received and Director Bickley thanked Mr. Counts for his excellent work. PPB continues to receive data extract files from DOC for commutations and that PPB received its first extract report for parole. These files will continue to allow us to improve our process. Finally, Director Bickley noted that our UCO interns are hard at work creating a balloting database of FY20 votes and, once completed the Board would be provided with some analyses.
- Director Bickley shared that he had a meeting with Justin Brown, Director of Human Service, on the "Be a Neighbor" program. The program, and the underlying platform, could a great tool for continuing criminal justice reform efforts around reentry services.
- November 1269 Tracking: Director Bickley obtained the latest tracking report, through mid-February. Since the special meeting on 11/1/19, there have been 35 new arrests involving 29 offenders who were commuted as a result of the 1269 docket.

- SIRF Policy: Director Bickley noted that it is policy for staff to review misconduct reports subsequent to Board approval and prior to discharge to determine if the parole recommendation should be withdrawn. Director Bickley outlined the current approach of staff and the Board affirmed the process and logic.
- Death Penalty: On February 13th, AG Mike Hunter announced the State's intention to resume executions and that dates of execution could be sought by the AG after completion of a 150-day waiting period. Accordingly, the Board could begin hearing clemency cases, as required under OAC 515:10, as soon as July or August of this year. Director Bickley indicated that he would use the ensuing months to help prepare the Board to hear clemency cases. Director Bickley listed six areas where training or education for the Board would be provided: 1) the process and how the hearing will unfold; 2) background on the appeals process; 3) background on jury selection and instruction; 4) relevant data; 5) psychological perspectives; 6) insights from exonerations. Director Bickley outlined his intent to ensure that education sessions include expert perspectives from both the defense and prosecutorial sides. Director Bickley encouraged Board members to let him know what topics or information they wanted and that he would direct agency resources into finding that information. During the discussions on this topic, Judge McCall noted that "Death was different." He expected that his fellow Board members and agency staff may be lobbied by outside parties trying to influence the process as well as the outcome of these proceedings. He encouraged everyone to be prepared for such efforts and that we should try to avoid all such discussions.

III. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda – Chairman Robert Gilliland

There was no new business.

IV. Adjournment of Business Meeting – Chairman Robert Gilliland

The meeting was adjourned at 10:08 a.m.

Respectfully Submitted,


Steven Bickley
Executive Director

The minutes for the March 2020 Pardon and Parole Board Business Meeting were approved by a majority vote on the 13 day of April 2020.